

REMARKS

By the present communication, claims 1, 14 and 20 have been amended to define Applicants' invention with greater particularity. No new matter is introduced by the subject amendments as the amended claim language is fully supported by the specification and original claims. In addition, non-elected claim 29 has been cancelled without prejudice, subject to Applicants' right to file divisional application(s) based thereon.

Entry of the amendments provided herewith is submitted to be proper as the subject amendments place the claims in condition for allowance, or, at a minimum, in better condition for appeal. Accordingly, entry of the amendments provided herewith is respectfully requested.

Upon entry of the amendments submitted herewith, claims 1-21, 27, 28 and 30-34 will be pending, with claims 1-9, 13-19, 27, 28 and 30-34 under active prosecution (and claims 10-12, 20 and 21 withdrawn from consideration, subject to a request for rejoinder). A detailed listing of all claims that are, or were, in the application, along with an appropriate status identifier, is provided in the Listing of Claims, beginning on page 2 of this communication.

The rejection of claims 1-9, 13 and 14 under 35 USC § 112, second paragraph, as allegedly being indefinite, is respectfully traversed. Contrary to the Examiner's assertion, it is respectfully submitted to be clear what the phrases "as defined above" and "as previously defined" mean. As acknowledged by the Examiner, each of the terms at issue are fully defined in independent claim 27, upon which claim 1 is indirectly dependent. Thus, one of skill in the art would readily understand the phrases "as defined above" and "as previously defined" to be referring to definitional language presented elsewhere within the claims.

However, in order to reduce the issues and expedite prosecution, claims 1 and 14 have been amended substantially as suggested by the Examiner. The rejection has, therefore, been rendered moot by the amendments submitted herewith. Accordingly, reconsideration and withdrawal of the rejection under 35 USC § 112, second paragraph are respectfully requested.

The allowance of claims 15-19, 27, 28 and 30-34 is acknowledged with appreciation. In view of the above amendments and remarks, it is respectfully submitted that claims 1-9, 13 and 14 are also in condition for allowance.

In view of the allowability of claim 1, it is respectfully requested that claims 10-12, which depend directly or indirectly from claim 1 (and merely represent additional variations of "L" which are embraced by claim 1), be rejoined with the active claims in this case.

Similarly, it is respectfully requested that claims 20 and 21, which depend directly or indirectly from claim 1 (and represent a defined use of the claimed probes), be rejoined with the active claims in this case.

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any issues remain to be resolved in view of this communication, the Examiner is invited to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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